IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
FARAD CONTINUATION SHEET
MISC.CIVIL APPLICATION NO.76 OF 2004

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Office Notes,Office memorandum of Coram, appearances,Court's orders or directions & Registrar's orders.	Court's or Judge's orders

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CORAM: A.S.OKA, J.
DATED: AUGUST 30, 2004.

P.C.:

1. Heard counsel appearing for the parties.

2. By a separate order passed in Misc.Civil Application No.73 of 2004, I have transferred the petition filed by the Applicant-husband in Family Court at Bandra, Mumbai to the Court at Civil Judge (S.D.),Sangli. This petition is filed for transfer of Application for maintenance which is pending in the court At Tasgaon,District Sangli to the Family Court at Bandra, Mumbai. The said prayer cannot be granted for the reasons which are set out in order passed in Misc.Civil Application No.73 of 2004.

3. As a result of the said order in M.C.A.No.73 of 2004, two proceedings will remain pending in two different courts one at Tasgaon and one at Sangli. This will cause inconvenience to both the parties.

Therefore, in the interests of justice the Application filed by the repsondent -wife is required to be transferred at court of Civil Judge (S.D), Sangli as the Judge holding the said post is empowered to exercise powers of the Judicial Magistrate First Class.

4. Hence I pass following order :

i) Criminal case No.55 of 2004 pending before the Civil Judge (F.C.), Tasgaon District Sangli is hereby transferred to the court at Civil Judge (S.D.) Sangli. After transfer of the said Criminal case, the same shall be heard along with M.J.Petition No.A-17 of 2004 filed by the Applicant in the Family Court at Bandra which is ordered to be transferred to the said Court. After transfer of the said case, the learned Judge will issue notice to both the parties.

ii) The order of transfer will be implemented on production of authenticated copy of this order. The learned Trial Judge will decide the said matters as expeditiously as possible and in any event on or before 31st August 2005.

iii) There will be no order as to costs.